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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91187847
Party	Defendant Christine Machleit, and Matilda Beeler
Correspondence Address	MACHLEIT, CHRISTINE 19931 Heartwood Drive Perris, CA 92570 UNITED STATES timeforacure@aol.com
Submission	Other Motions/Papers
Filer's Name	Christine Machleit
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Signature	/Christine Machleit/
Date	12/17/2009
Attachments	TTAB9.pdf ( 1 page )(657033 bytes ) TTAB10.pdf ( 1 page )(118072 bytes ) TTAB11.pdf ( 1 page )(124641 bytes ) TTAB12.pdf ( 1 page )(134704 bytes ) TTAB13.pdf ( 1 page )(77922 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

CHRISTINE MACHLEIT and  
MATILDA BEELER

Applicants,

Opposition No. 91187847

v.

THE SUSAN G. KOMEN BREAST  
CANCER FOUNDATION, INC.

OPPOSER.

**APPLICANT'S ANSWERS TO FIRST REQUEST TO PRODUCTION**

Christine Machleit and Matilda Beeler, Applicants in the above referenced matter hereby provide responses to the opposers counsel, Dace A. Caldwell, Gibson, Dunn & Crutcher LLP, 1050 Connecticut Avenue, N.W., Washington, D.C. 20036-5306.

**REQUEST FOR PRODUCTION NO. 1, ANSWER:**

Applicant, Christine Machleit was diagnosed with breast cancer in January 1996. Upon surviving breast cancer, applicant Matilda Beeler stated that Christine should be given a medal, that was the original idea for Time For A Cure Awareness Products, a private company owned and operated by applicant Christine Machleit doing business as Superior Industries. The ultimate decision was when watches were designed in a watch face, with the wording "Time For A Cure" by Image Watches, Inc. on April 13, 1999.

Applicants also obtain an internet domain name: timeforacure.com on October 11, 1999 which Network Solutions served with a website known as: Time For A Cure.

A fictitious business name statement for Time For A Cure was filed and published on

December 9, 1999 and recorded at the Recorder's Office, Los Angeles County, California.

**REQUEST FOR PRODUCTION NO. 2 ANSWER:**

The original watches were sold on a contingency basis in hospitals and some limited retail stores. They were also sold online at the Time For A Cure website.

**REQUEST FOR PRODUCTION NO. 3 ANSWER:**

Documentation is hereby attached to this request for production.

**REQUEST FOR PRODUCTION NO. 4 ANSWER:**

Documentation is hereby attached to this request for production.

**REQUEST FOR PRODUCTION NO. 5 ANSWER:**

Documentation is hereby attached to this request for production.

**REQUEST FOR PRODUCTION NO. 6 ANSWER:**

Documentation is hereby attached to this request for production.

**REQUEST FOR PRODUCTION NO. 7 ANSWER:**

Documentation is hereby attached to this request for production.

**REQUEST FOR PRODUCTION NO. 8 ANSWER:**

Upon original trademark search no evidence was presented to applicants of any use by opposers other than the abandonment of wording "time for a cure" Application Serial Number. 76075169 word mark, abandoned June 27, 2004.

Applicant was aware that the wording mark "time for a cure" no design associated

was owned by the registered owner, Amyotrophic Lateral Sclerosis Association (ALS), registration number 2928516. Permission from the ALS was granted to applicants to use our design with wording on May 27, 2008.

Applicants had no other knowledge of opposers use of the wording "time for a cure" and certainly no knowledge of the use of such wording.

**REQUEST FOR PRODUCTION NO. 9 ANSWER:**

Time For A Cure is a California Corporation, incorporated March 19, 2007. Time For A Cure was given non profit 501(3)c status by the Internal Revenue Service on August 7, 2007. Time For A Cure is and will always actively promoting breast cancer awareness through educational outreaches.

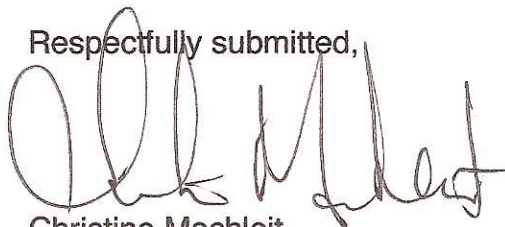
**REQUEST FOR PRODUCTION NO. 10 ANSWER:**

Documentation is hereby attached to this request for production.

Applicants further state that the wording is used only in connection with our logo and under the agreement with the ALS that is in fact the only permissible use. To applicants knowledge there has been no confusion from the use of the wording "time for a cure" and that the opposers design and wording have no similarities other than the color pink which is not a trademark of the opposer. It is unlikely that the applicants pending trademark would cause any harm to the opposer nor has opposer provided any proof that it has or would.

Opposition No. 91187847

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Christine Machleit', written in a cursive style.

Christine Machleit  
19931 Heartwood Drive  
Perris, California 92570  
Telephone: 626/825-9303  
or 951/789-2756

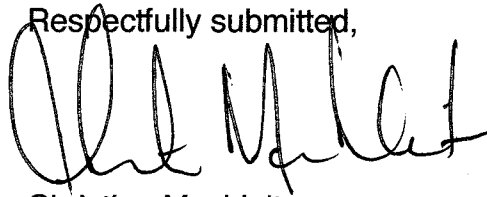
## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **ANSWERS TO OPPOSER'S FIRST REQUESTS FOR PRODUCTION AND ANSWERS TO OPPOSER'S FIRST SET OF INTERROGATORIES** was placed in the United States mail, first class, postage pre-paid to opposer counsel as follows:

Dace A. Caldwell, Esq.  
Gibson, Dunn & Crutcher LLP  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5306  
Telephone: (202) 887-3780

Dated: December 17, 2009

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Christine Machleit', written over the typed name.

Christine Machleit